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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/422,387

10/21/1999

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23373 7590 05/13/2008
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EXAMINER

DINH, KHANH Q

ART UNIT

PAPER NUMBER

2151

MAIL DATE

DELIVERY MODE

05/13/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte MOSHE ZILBERSTEIN, GABY MATSLIACH,
AVNER RONEN, RONEN VENTURA, BENNY ROUSSO,
and SHAI BUBER

Appeal 2008-2559
Application 09/422,387
Technology Center 2100

Mailed: May 13, 2008

Before DALE M. SHAW, *Chief Appeals Administrator*
SHAW, *Chief Appeals Administrator*

ORDER DISMISSING APPEAL

On November 14, 2005, Appellants filed a Notice of Appeal. On April 14, 2008, counsel for Appellants filed, via facsimile transmission, a Request for Continued Examination (RCE) pursuant to 37 C.F.R. § 1.114 . Under the provisions of 37 C.F.R. § 1.114(d), a request for continued examination filed after the appeal has been taken, but prior to a decision on

Appeal 2008-2559
Application 09/422,837

the appeal, “will be treated as a request to withdraw the appeal and to reopen prosecution of the application before the examiner.”

Accordingly, the appeal in this application is dismissed.

The application is being returned to the Examiner for further action as may be appropriate.

If there are any questions pertaining to this dismissal, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

clj

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